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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,021	07/15/2003	Jin Huai	CIS0031D1US	4195
33031 7590 01/15/2008 CAMPBELL STEPHENSON LLP 11401 CENTURY OAKS TERRACE BLDG. H, SUITE 250 AUSTIN, TX 78758			EXAMINER MOUTAOUAKIL, MOUNIR	
			ART UNIT 2619	PAPER NUMBER
			MAIL DATE 01/15/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/620,021	Applicant(s) HUAI ET AL.	
	Examiner Mounir Moutaouakil	Art Unit 2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-19 and 27-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-19, and 27-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on 10-12-2007 has been entered and considered.

Claims 13-19, and 27-29 are pending in this application.

Claims 1-12, and 20-26 are canceled.

Claims 13-19, and 27-29 remain rejected as discussed below.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 13-19, and 27-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 17, the recitation of "an entry indicating a predetermined number of contiguous frames that may be transmitted over the link" is vague and indefinite because it does not clearly specify the direction of the frames being transmitted. Also, it is not clear if the indicated number of frames is associated with the frames being transmitted from the first circuit switch to the second circuit switch or vice versa. Moreover, it is not clear if the link supports the same/different frame rates on each direction. Therefore the metes and bounds of the claimed invention are not clear. Similar issue occurs in claims 13 and 27-29.

Claims 14-16, and 18-19 are rejected because they depend on rejected claims.

Claim Objections

3. Claims 13, 17, and 27 are objected to because of the following informalities: the term **"function"** renders the claims vague. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 13, 14, 16, 17, and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 5,796,736) in view of Nishimura et al (US 5,235,599).

Regarding claims 13, 17, and 27. Suzuki discloses a network that comprises a first circuit switch having a first interface (Fig.3, SW1), the first interface having assigned thereto a first identifier (col.5, lines 1-20. Each switch assigns an identifier for each port); a second circuit switch having a second interface (SW2), the second interface having assigned thereto a second identifier (col.5, lines 1-20. Each switch assigns an identifier for each port); a plurality of memory locations in the first circuit switch containing a first table, the first table including each of the first identifier and the second identifier (col.5, lines 1-20, each switch has a table with its port identifier and the neighboring ports identifier); a plurality of memory locations in the second circuit switch containing a second table, the second table including each of the first identifier and the second identifier (col.5, lines 1-20, each switch has a table with its port identifier and the

neighboring ports identifier); and a link coupling the first interface to the second interface (the link between SW1 and SW2).

Suzuki discloses all the limitations of the claimed invention with the exception that the tables further include an entry indicating the link status and the frame rate that may be supported by the link. However, Nishimura, from the same field of endeavor, discloses a method of updating a table that indicates the path status, bandwidth capability, usage and more for the purpose of failure recovery (Fig.19). Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to include a table entry that indicated the link status and the frame rate that can be supported by the link, as taught by Nishimura, into the circuit switch of Suzuki for the purpose of avoiding congestion, link failure and delay.

Regarding claim 14. Suzuki discloses the act of transmitting the interface identifier on all enabled interfaces in the circuit switch (col.5, lines 1-20).

Regarding claim 16. Suzuki discloses another network element in the network configured to store the identifier in another table (col.5, lines 1-20).

Regarding claims 28 and 29, Suzuki discloses an additional interface configured to be coupled to another link (SW3), the circuit switch is configured to store another table (col.5, lines 1-20).

Suzuki discloses all the limitations of the claimed invention with the exception that the tables further include an entry indicating the link status and the frame rate that may be supported by the link. However, Nishimura, from the same field of endeavor, discloses a method of updating a table that indicates the path status, bandwidth

capability, usage and more for the purpose of failure recovery (Fig.19). Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to include a table entry that indicated the link status and the frame rate that can be supported by the link, as taught by Nishimura, into the circuit switch of Suzuki for the purpose of avoiding congestion, link failure and delay.

6. Claims 15, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Nishimura and further in view of Kremer (US 5,406,401).

Suzuki in view of Nishimura discloses all the limitations of the claimed invention with the exception that the interfaces conform to protocol selected from a group consisting of SONET or SDH and that the link is fiber optic. However, Kremer, from the same field of endeavor, discloses multiple interfaces conforming to a protocol selected from a group consisting of SONET, which uses fiber optic as links, (Fig.2). Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to implement the method of having the interfaces compliant with SONET, as taught by Kremer, for the purpose of providing higher rate of transmission, interference immunity and noise immunity.

Response to Arguments

7. Applicant's arguments with respect to claim 10-12-2007 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.
9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

When responding to this office action, applicants are advised to clearly point out the patentable novelty which they think the claims present in view of the state of the art disclosed by the references cited or the objections made. Applicants must also show how the amendments avoid such references or objections. See 37C.F.R 1.111(c). In addition, applicants are advised to provide the examiner with the line numbers and pages numbers in the application and/or references cited to assist examiner in locating the appropriate paragraphs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mounir Moutaouakil whose telephone number is 571-270-1416. The examiner can normally be reached on Monday-Thursday (1pm-4: 30pm) eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/620,021
Art Unit: 2619

Page 8

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MM
Mounir Moutaouakil
Patent Examiner
12-18-2007

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SUPERVISORY PATENT EXAMINER

